

REMARKS

In the non-final Office Action, the Examiner rejects claims 1-33 under 35 U.S.C. § 102(e) as anticipated by ELSEY et al. (U.S. Patent Application Publication No. 2004/0184593). Applicants traverse this rejection.¹

By way of the present amendment, Applicants cancel claims 8, 19, 20, 23, and 25 without prejudice or disclaimer and amend claims 1, 2, 4, 5, 9, 10, 15, 17, 18, 21, 22, 26, and 28-33 to improve form. No new matter has been added by way of the present amendment. Claims 1-7, 9-18, 21, 22, 24, and 26-33 remain pending.

Pending claims 1-7, 9-18, 21, 22, 24, and 26-33 stand rejected under 35 U.S.C. § 102(e) as allegedly anticipated by ELSEY et al. Applicants respectfully traverse this rejection.

A proper rejection under 35 U.S.C. § 102 requires that a reference teach every aspect of the claimed invention. Any feature not directly taught must be inherently present. See M.P.E.P. § 2131. ELSEY et al. does not disclose or suggest the combination of features in Applicants' claims 1-7, 9-18, 21, 22, 24, and 26-33.

For example, amended independent claim 1 recites a method for obtaining contact information. The method includes receiving a request for contact-related information associated with a party, the request including identifying information associated with the party; retrieving the contact-related information associated with the party using the identifying information, the contact-related information being different from the

¹ As Applicants' remarks with respect to the Examiner's rejections are sufficient to overcome these rejections, Applicants' silence as to assertions by the Examiner in the Office Action or certain requirements that may be applicable to such rejections (e.g., whether a reference constitutes prior art, motivation to combine reference, assertions as to dependent claims, etc.) is not a concession by Applicants that such assertions are accurate or such requirements have been met, and Applicants reserve the right to analyze and dispute such assertions/requirements in the future.

identifying information; automatically adding the contact-related information to an address book that is associated with a user that requested the contact-related information in response to retrieving the contact-related information. ELSEY et al. does not disclose or suggest this combination of features.

For example, ELSEY et al. does not disclose or suggest automatically adding contact-related information to an address book that is associated with a user that requested the contact-related information in response to retrieving the contact-related information. A similar feature was previously presented in claim 8. The Examiner relies on paragraphs 0049 and 0127 of ELSEY et al. as allegedly disclosing this feature (Office Action, pg. 4). Applicants respectfully disagree with the Examiner's interpretation of ELSEY et al.

At paragraph 0049, ELSEY et al. discloses:

The data network 122 may, but not necessarily, also further connect to a directory listing/concierge (DL/C) database server 136 and a caller profile database server 134. The caller profile database server 134 stores detailed information about a subscriber. Such details may include the subscriber's name, contact details, preferences, dietary requirements, likes and dislikes, past logged activities, etc. The DL/C database server 136 may contain directory listing information on restaurants, events, accommodation, transportation, travel information and booking, stock prices, weather and other services such as grocery or flower delivery, etc.

This section of ELSEY et al. discloses a caller profile database server that stores detailed information about a subscriber. In fact, this section of ELSEY et al. discloses storing information about a caller and not contact-related information associated with a party in an address book associated with a user. Therefore, this section of ELSEY et al. does not disclose or suggest automatically adding contact-related information to an address book that is associated with a user that requested the contact-related information in response to retrieving the contact-related information, as required by amended claim 1.

At paragraph 0127, ELSEY et al. discloses:

Switch host computer 106 and data server 120a commence (step 404) the collection of call data, starting with the information listed immediately above. The call data is updated as directory assistance system 100 takes action on behalf of the caller. Therefore, when a caller makes successive assistance requests, the directory assistance provider (i.e., a live operator or voice server 120b) called upon to satisfy each subsequent request can refer to information concerning the caller's connection to directory assistance system 100 and the information provided in response to the caller's previous requests.

This section of ELSEY et al. discloses storing and updating call data as directory assistance system 100 takes action on behalf of the caller. This section of ELSEY et al. discloses storing and updating information related to the caller that is viewable by an operator. This section of ELSEY et al. does not disclose or suggest automatically adding contact-related information to an address book that is associated with a user that requested the contact-related information in response to retrieving the contact-related information, as required by amended claim 1.

For at least the foregoing reasons, Applicants submit that claim 1 is not anticipated by ELSEY et al.

Claims 2-7 and 9 depend from claim 1. Therefore, claims 2-7 and 9 are not anticipated by ELSEY et al. for at least the reasons given above with respect to claim 1.

Amended independent claims 10, 15, 21, 32, and 33 recite features similar to, yet possibly of different scope than, features recited above with respect to claim 1. Therefore, claims 10, 15, 21, 32, and 33 are not anticipated by ELSEY et al. for at least reasons similar to the reasons given above with respect to claim 1.

Claims 11-14 depend from claim 10. Therefore, claims 11-14 are not anticipated by ELSEY et al. for at least the reasons given above with respect to claim 10.

Claims 16-18 depend from claim 15. Therefore, claims 16-18 are not anticipated by ELSEY et al. for at least the reasons given above with respect to claim 15.

Claims 22, 24, and 26-31 depend from claim 21. Therefore, claims 22, 24, and 26-31 are not anticipated by ELSEY et al. for at least the reasons given above with respect to claim 21.

In view of the foregoing amendments and remarks, Applicants respectfully request withdrawal of the outstanding rejections and the timely allowance of this application.

To the extent necessary, a petition for an extension of time under 37 C.F.R. § 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account No. 50-1070 and please credit any excess fees to such deposit account.

Respectfully submitted,

HARRITY SNYDER, L.L.P.

By: Meagan S. Walling
Meagan S. Walling
Reg. No. 60,112

Date: July 13, 2007
11350 Random Hills Road
Suite 600
Fairfax, Virginia 22030
(571) 432-0800

Customer No. 25537